IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3276 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KHANDUBHAI BABARBHAI PATEL

Versus

UNION OF INDIA

Appearance:

MR SANDEEP N BHATT for Petitioner

MR ANANT S DAVE for the Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 03/05/2001

ORAL JUDGEMENT

Rule. Learned Additional Central Government Standing Counsel Mr. Anant S.Dave waives service of Rule on behalf of the respondent.

2. This petition has been filed for a direction to the respondent authority to make correction in the date of birth in passport no. T-298219 with correct date of birth as 9.7.1952 in place of 1.5.1952. The learned counsel for the petitioner states that some wrong date of bith has been mentioned in the passport. Hence, he moved an application before the respondent authority on 19.4.2001 for correction in the passport regarding date of birth. He also filed filed a copy of the birth certificate issued by the competent authority, but the respondent authority has not passed any appropriate order saying that they have no authorityt o make any correction in the passport.

3. In the facts and circumstances, this petition is being disposed of finally with a direction to the respondent authority to decide the petitioner's application regarding correction of date of bith in the passport in accordance with law. If the authority comes to the conclusion that wrong date has been mentioned and the birth certificate filed by the petitioner is sufficient to show the correct date of birth of the petitioner as 9.7.1952 in place of 1.5.1952, the authority will make necessary corection in the passport within four weeks from the date of receipt of writ from this court or on production of a certified copy of this judgment, whichever is earlier. The respondent authority will be at liberty to pass appropriate orders regarding costs of the proceedings. Rule is made absolute accordingly with no order as to costs.

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